

House Bill 1292

By: Representatives Wilkinson of the 52nd, Burkhalter of the 50th, Geisinger of the 48th, Martin of the 47th, Jones of the 46th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated,
2 relating to service delivery strategy, so as to provide that, if a service provider charges
3 customers located outside its geographic boundaries a higher fee than the fee it charges
4 customers receiving water or sewer service within its geographic boundaries, such service
5 provider shall not be authorized to use the revenues from fees received from customers
6 located outside its geographic boundaries to fund the repayment of any bond issues that are
7 related to any other projects or that are not related to the provision of water or sewer service
8 to such customers located outside its geographic boundaries; to provide for related matters;
9 to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to
13 service delivery strategy, is amended by revising paragraph (2) of Code Section 36-70-24,
14 relating to criteria for service delivery strategy, as follows:

15 "(2)(A) The strategy shall provide that water or sewer fees charged to customers
16 located outside the geographic boundaries of a service provider shall not be arbitrarily
17 higher than the fees charged to customers receiving such service which are located
18 within the geographic boundaries of ~~the~~ such service provider.

19 (B) If a governing authority disputes the reasonableness of water and sewer rate
20 differentials imposed within its jurisdiction by another governing authority, that
21 disputing governing authority may hold a public hearing for the purpose of reviewing
22 the rate differential. Following the preparation of a rate study by a qualified engineer,
23 the governing authority may challenge the arbitrary rate differentials on behalf of its
24 residents in a court of competent jurisdiction. Prior to such challenge, the dispute shall
25 be submitted to some form of alternative dispute resolution.

1 (C) If a service provider charges customers located outside its geographic boundaries
2 a higher fee than the fee it charges customers receiving water or sewer service within
3 its geographic boundaries, such service provider shall not be authorized to use the
4 revenues from fees received from customers located outside its geographic boundaries
5 to fund the repayment of any bond issues that are related to any other projects or that
6 are not related to the provision of water or sewer service to such customers located
7 outside its geographic boundaries;".

8 **SECTION 2.**

9 All laws and parts of laws in conflict with this Act are repealed.